

ZILKP012US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/604,631
Filing Date: August 6, 2003
Applicant(s): Zilka et al.
Title: Device, System and Method for On-Line Explosive Deslagging
Group Art Unit: 3641
Examiner: Unknown

Information Disclosure Statement**OFFICIAL**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Attached is a completed substitute form PTO-1449A (2 sheets patent documents, 1 sheet non-patent documents). Also attached is one (1) references not yet of record for the parent U.S. application 10/064,730 as well as an English-language translation thereof. Following are comments on the references cited pursuant to Rule 98:

This application is a continuation of U.S. application 10/064,730 filed August 12, 2002, now U.S. patent 6,604,468 issued August 12, 2003. All references listed on the enclosed substitute form 1449A, except for WO 02/084193 A1 were cited by the examiner or submitted by applicants in this parent case 09/769,845. The parent case itself is also listed hereon. Therefore, copies of all but WO 02/084193 A1 need not be provided under 37 CFR 1.98(d) and MPEP 609 A(2).

Furthermore, a "concise explanation of relevance" under 37 CFR 1.98(a)(3) and MPEP 609 A(3) for all of the references submitted by applicants or cited by examiner in the parent case – though optional for English-language references – has already been provided in connection with said parent case. The relevance of these references to the present application is substantially the same as the relevance of these references to the parent case, and so the concise explanations of relevance provided for these references with the parent case will be relied upon for the present case as well, and will not be repeated herein. (See MPEP 609 A(2) and A(3))

Newly-cited document WO 02/084193 A1 is not prior art against this application since US 10/604,631 is a continuation through several copending generations of US 08/786,096 filed January 17, 1997, now US Patent 5,769,034 issued June 23, 1998, which predates the earliest priority of WO 02/084193 A1 by more than four years and the publication thereof by almost six years. But, it is of background interest and so has been included along with a translation.

None of the references cited herein anticipates or renders obvious, the disclosures and claims of the present application.

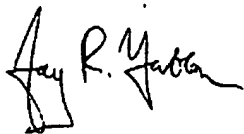
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Very truly yours,

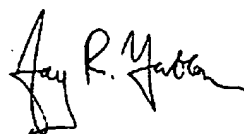


Jay R. Yablon
Registration # 30604

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PTO/SB/08A (10-01)

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Substitute for form 1449A/PTO		Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/604,631
		Filing Date	August 6, 2003
		First Named Inventor	Zilka et al.
		Art Unit	3641
		Examiner Name	Unknown
Sheet 1 of 3	Attorney Docket Number	ZILKP012US	

U.S. PATENT DOCUMENTS						
Examiner Initials ²	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		US-	2,840,365	06-24-1958	Kruk	
		US-	3,053,525	09-11-1962	Leroy	
		US-	3,552,259	01-05-1971	Griffith	
		US-	4,166,418	09-04-1979	Calder, Jr.	
		US-	4,167,139	09-11-1979	Gleason et al.	
		US-	4,354,294	10-19-1982	Silver	
		US-	4,462,319	07-31-1984	Larsen	
		US-	4,545,411	10-08-1985	Wierzba	
		US-	4,639,381	01-27-1987	Wierzba	
		US-	4,756,248	07-12-1988	Sato	
		US-	5,056,587	10-15-1991	Jones	
		US-	5,113,802	05-19-1992	LeBlanc	
		US-	5,193,491	03-16-1993	Oslin	
		US-	5,196,648	03-23-1993	Jones	
		US-	5,211,135	05-18-1993	Correia	
		US-	5,279,676	01-18-1994	Oslin	
		US-	5,307,743	05-03-1994	Jones	
		US-	5,494,004	02-27-1996	Hunter	
		US-	5,517,950	05-21-1996	Kendrick	
		US-	5,665,933	09-09-1997	Persson	

FOREIGN PATENT DOCUMENTS							
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	-Number ⁴ - Kind Code ⁵ (if known)				
		BE	538,867	06-30-1955	Kruk		
		GB	823,353	11-11-1959	E. I. Dupont and Cy.		
		LU	41977	08-30-1962	Goffart		x
		AU	20,822/70	04-13-1972	Conzinc Riotinto Ltd.		
		JP	23,560	06-17-1974	Mitsubishi		
		FR	2,567,426	01-17-1986	Maurel		
		WO	02/084193 A1	10-24-2002	Ruegg		x

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1448B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/604,631
		Filing Date	August 6, 2003
		First Named Inventor	Zilka et al.
		Group Art Unit	3641
		Examiner Name	Unknown
		Attorney Docket Number	ZILKP012US
Sheet	3	of	3

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Database WPI, Section Ch, Week 9504, Derwent Publications Ltd., London, GB; Class J09, AN 95-027953, XP002061356 & JP 06 313 532 (Shingawaw Fire Brick), November 8, 1994	
		Database WPI, Section Ch, Week 9426, Derwent Publications Ltd., London, GB; Class M24, AN 94-211580, XP002061357 & JP 06 147 775 (Nippon Steel Corp.), May 27, 1994	
		VBB publication number 541 070 8 (GDR, 1980), pages 344-352 & 407	x
		Jendersie, H.: Untersuchungen zum Konturensprengen beim untertagigen Abau. Neue Bergbautechnik 3 (1973) H. 3 (Cited as footnote 18 in Cite No. 1)	x

Examiner Signature	Date Considered
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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